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JAP:NR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

WILFRED KING,

Defendant.

M. No. _____
(T. 8, U.S.C., §§ 1326(a)
(and 1326(b)(2))

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EASTERN DISTRICT OF NEW YORK, SS:

MATTHEW LEW, being duly sworn, deposes and states that he is a Deportation Officer with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about May 12, 2012, within the Eastern District of New York and elsewhere, the defendant WILFRED KING being an alien who had previously been arrested and convicted of an aggravated felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Section 1326(b)(2)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the ICE investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about May 12, 2012, the defendant WILFRED KING was arrested by the New York City Police Department ("NYPD"), 120th Precinct, in Staten Island, New York. The defendant was arrested and charged with Criminal Sale of a Controlled Substance in the Third Degree in violation of Section 220.39 of the New York State Penal Law. The defendant used the name "Wilfred King" in connection with this arrest.

3. The NYPD notified ICE of this arrest. ICE officials ran a criminal history report and found that the defendant, a citizen of Trinidad and Tobago, had been previously removed from the United States on January 30, 1992.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware.

The defendant used the name "Wilfred King" in connection with this removal.

4. ICE officials also determined that on or about January 15, 1991, the defendant had been convicted in Prince George County, Virginia Circuit Court of Conspiracy to Distribute Cocaine in violation of Section 18.2-256 of the Virginia Code, an aggravated felony offense. The defendant used the name "Wilfred King" in connection with this conviction. Additionally, on January 31, 1991, the defendant was convicted in Petersburg County, Virginia Circuit Court of Conspiracy to Distribute Heroin in violation of Section 18.2-256 of the Virginia Code, an aggravated felony offense. The defendant used the name "Wilfred King" in connection with this conviction.

5. An ICE official with fingerprint analysis training compared the fingerprints taken in connection with the defendant's arrest underlying his January 15, 1991 and January 31, 1991 convictions; the fingerprints taken in connection with the defendant's January 30, 1992 removal; and the fingerprints taken in connection with the defendant's May 12, 2012 arrest, and determined that all three sets of fingerprints were made by the same individual.

6. A search of ICE records has revealed that there exists no request by the defendant for permission from either the

United States Attorney General of the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant WILFRED KING, be dealt with according to law.

Matthew Lew

MATTHEW LEW
Deportation Officer
U.S. Immigration and Customs
Enforcement

Sworn to before me this
21st day of June, 2012

HONORABLE MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK